

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

As reflected in the Indictments, the shooting killed twenty-three people and injured several more. Given the time and location of the incident, there were hundreds of witnesses to the shooting. Hundreds of local, state, and federal law enforcement officers and first responders played a role in responding to the attack and its aftermath. Those entities amassed a tremendous amount of material.

The investigation into the mass shooting on August 3, 2019, progressed on dual federal and state tracks since its inception. On September 12, 2019, and on June 25, 2020, a Grand Jury for the 34th Judicial District sitting in El Paso County returned indictments charging Patrick Wood Crusius with capital murder of multiple persons for allegedly executing the August 3, 2019, mass shooting and announced that it would seek the death penalty.

On February 14, 2020, this honorable court issued a Protective Order Governing Discovery (the “Protective order”) in the above-captioned case, (ECF No. 39); this order remains in place.

On February 8, 2023, Defendant Patrick Wood Crusius pleaded guilty pursuant to a written plea agreement (ECF No. 259) to all counts contained in the ninety-count superseding indictment (ECF No. 82). In that plea agreement, Defendant agreed and stipulated to pay restitution in an amount determined by the Court.

On July 7, 2023, Defendant Patrick Wood Crusius was sentenced to serve ninety consecutive life sentences, five years of supervised release per count to be served concurrently, and a \$9,000 special assessment.

On October 5, 2023, Defendant Patrick Wood Crusius’ sentence was amended to include an order to pay restitution in the amount of \$6,238,845.55 (ECF No. 302).

The State case against Defendant Patrick Wood Crusius remains pending.

II. Unsealing

During the course of the above referenced litigation, the Parties each sought leave of the Court to file sealed documents. The Government specifically moved the Court for permission to file the following ECF documents under seal: Attachments 1, 2, 3, and 4 to ECF No. 72; ECF No. 73 and attachments 1, 2, 3, and 4; ECF No. 233; ECF No. 234; ECF No. 246; and ECF No. 248. The Court granted the requested leave, and those documents were subsequently filed under seal. The Court subsequently issued sealed orders relevant to the above sealed documents; those sealed orders are found in ECF documents numbered 235, 247, and 249.

As the federal criminal matter in the above referenced cause number has now been concluded, the United States sees no further reason to have ECF documents numbered 73, 233, 234, 246, and 248 remain under seal. The Government is also of the opinion that the sealed court orders issued relevant to those documents – ECF documents numbered 235, 247, and 249 - should additionally be unsealed.


The sealed attachments to ECF documents numbered 72 and 73 (attachments 1, 2, 3, & 4 to both documents), however, contain material that the Government believes should remain under seal. That information consists of personal identifiable information related to victims in this case, information that remains subject to the Court's Protective Order, and/or information that could materially impact the conduct of the pending state case. The Government will seek leave of court to attach to this filing redacted copies of attachments 1, 2, 3, and 4 to ECF documents numbered 72 and 73, and propose that those redacted versions be unsealed as substitutes for the originally filed documents.

WHEREFORE, PREMISES CONSIDERED, the Government respectfully requests that ECF documents numbered 73, 233, 234, 246, and 248 be unsealed. The Government further

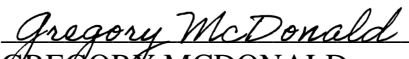
requests that the corresponding court orders to these documents, ECF documents numbered 235, 247, and 249, also be unsealed. Lastly, the Government requests that sealed attachments 1, 2, 3, and 4 to ECF documents numbered 72 and 73 be unsealed in a limited fashion consistent with the redactions proposed by the Government.

Respectfully Submitted,

MARGARET LEACHMAN
ATTORNEY FOR THE UNITED STATES,
ACTING UNDER AUTHORITY CONFERRED BY 28 U.S.C. § 515



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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of November, 2023, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System and the Government provided a copy to the following participants:

Joseph Spencer and Felix Valenzuela

Attorneys for Defendant

_____/s/_____
Ian M. Hanna
Assistant U.S. Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICK WOOD CRUSIUS,

Defendant.

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CAUSE NO.: EP-20-CR-00389-DCG

ORDER

On this date came on to be considered the Government's Motion to Unseal ECF Documents numbered 73, 233, 234, 235, 246, 247, 248, and 249, and for the limited unsealing of attachments 1, 2, 3, and 4 to ECF documents numbered 72 and 73, in the above numbered cause, and the Court having considered the same, is of the opinion that said Motion should be granted.

IT IS THEREFORE ORDERED that the Motion to Unseal ECF Documents numbered 73, 233, 234, 235, 246, 247, 248, and 249, and for the limited unsealing of attachments 1, 2, 3, and 4 to ECF documents numbered 72 and 73, in the above numbered cause be GRANTED.

SIGNED and ENTERED this the _____ day of November, 2023.

HONORABLE DAVID C. GUADERRAMA
SENIOR UNITED STATES DISTRICT JUDGE